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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,566	02/24/2004	Michael D. Sawyer	P1984US00	9829
32710	7590	01/20/2006	EXAMINER	
Stites & Harbison PLLC TransPotomac Plaza 1199 North Fairfax Street, Suite 900 Alexandria, VA 22314-1437			DUONG, HUNG V	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/785,566

Applicant(s)

SAWYER, MICHAEL D.

Examiner

Hung v. Duong

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

*Hung V. Duong*

**HUNG VAN DUONG**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 7-8, 11-13, 15,17, 19-25, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Bieback et al (US Pat. 6,121,881).

Regarding claims 1-2, 7-8, 11-13 15,17, 19-25, and 27 Bieback et al disclose a system comprising: a portable computer chassis 23, 30 having an internal speaker 62; and openings 31 in the chassis 23, 30 from which sound from the speaker 62 can emanate, wherein the openings allow heat generated by the system to escape wherein the internal speaker 62 is located at least a minimum distance away from the openings, separate air intake vents located on the chassis 23, 30. A portable computer system comprising: a portable computer chassis 23, 30 having an internal speaker 62; a heat generating device 63 disposed within the chassis 23, 30; a first opening in the chassis spaced apart from the internal speaker, wherein the opening facilitates emanation of sound outside the computer chassis 23, 30, and wherein the first opening further facilitates flow of air between the internal speaker 62 and the first opening; and a

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second opening in the chassis 23, 30 positioned to facilitate airflow between the second opening along a path past heat generated by the heat generating device 63 within the chassis 23, 30 and the first opening to remove heat from within the computer chassis 23, 30 wherein the first opening comprises a grill 31.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6, 10, 14, 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Bieback et al (US Pat. 6,121,881) in view of Homer et al (US Pat. 6,671,171).

Regarding claims 3-6, 10 18, Bieback et al disclose all the subject matter of the claimed invention except for two internal speakers and openings proximate to each other wherein the openings are located on a front surface of the portable computer. However Homer et al disclose two internal speakers and openings proximate to each other wherein the openings are located on a front surface of the portable computer (see figure 1). Therefore, it would be obvious to one of ordinary skill in the art to modify two internal speakers and openings proximate to each other wherein the openings are

located on a front surface of the portable computer of Horner into Bieback et al' s computer system in order to improve the sound system.

Regarding claim 14, Bieback et al disclose a third opening and further speaker positioned proximate the third opening to promote airflow between the third opening and further speaker (see figure 14). Therefore, it would be obvious to one of ordinary skill in the art to modify a third opening and further speaker positioned proximate the third opening to promote airflow between the third opening and further speaker of Horner into Bieback et al' s computer system in order to improve the sound system.

Claims 9,26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bieback et al (US Pat. 6,121,881) in view of Liu (US Pat. 5,448,495).

Regarding claims 9,26, Bieback et al disclose all the subject matter of the claimed invention except for ventilation fans located between the air intake vents and heat cooling components. However Liu disclose ventilation fans located between the air intake vents and heat cooling components (see column 2, lines 41+). Therefore, it would be obvious to one of ordinary skill in the art to modify ventilation fans located between the air intake vents and heat cooling components of Liu into Bieback et al' s computer system in order to cool the computer system.

### ***Response to Amendment***

3. Applicant's arguments with respect to claims 1-15, 17-27 has been considered but is moot in view of the new ground(s) of rejection.

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

None.

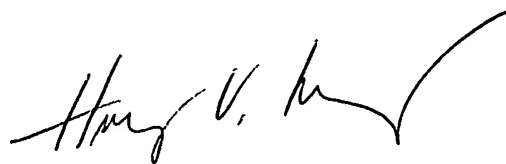
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Duong whose telephone number is (571) 272-2041. The examiner can normally be reached on M-F from 8:30 to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on (571) 272-2092. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956

HVD

01/19/06.

A handwritten signature in black ink, appearing to read 'Hung V. Duong', with a large, sweeping checkmark-like flourish at the end.

Hung Duong  
Primary Examiner.